

BK009539PG00315

North Carolina
Department of Environment and Natural Resources

Division of Waste Management

Michael F. Easley, Governor
William G. Ross Jr., Secretary
Dexter R. Matthews, Director



August 12, 2002

WAKE COUNTY, NC 278
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
08/13/2002 AT 12:14:59

MAIL
Mr. Mike L. Griffin
Griffin Brothers Companies
d/b/a Highway 55 C&D Landfill, LLC
19109 W. Catawba Ave.; Suite 118
Cornelius, North Carolina 28031

BOOK:009539 PAGE:00315 - 00335

Subject: Solid Waste Permit No. 92-30
Highway 55 C&D Landfill, LLC Construction and Demolition(C&D) Landfill
Old Smithfield Road, Apex, Wake County, North Carolina.

Dear Mr. Griffin:

The referenced PERMIT TO CONSTRUCT is issued in accordance with N.C.G.S. 130A-294 and the N.C. Solid Waste Management Rules, 15A NCAC 13B, .0201(b)(1). Enclosed is attachment 1, which lists documents included in the Approved Plan. The approved facility description includes the area described in the attached legal description. Within the approved facility, the initial area identified as Phase I (the first five year phase encompassing 17.80 acres) is permitted for construction as shown on Sheet C2 (master site grading plan) and Sheet C3 (Phase I grading plan).

This permit is for the construction of the first five-year phase, Phase I (the first five year phase encompassing 17.80 acres) is permitted for construction as shown on Sheet C3 (Phase I grading plan) dated 6 May 2002 of the approved plans. At the end of the first five-year operational period, Highway 55 C&D Landfill, LLC may apply for an expansion into and construction of Phase 2, but will be subject to all rules in effect at that time. This permit is issued to Griffin Brothers Companies d/b/a Highway 55 C&D Landfill, LLC as the owner and operator of the facility.

Please refer to the GENERAL CONDITIONS of this permit for recordation procedures, the definition of the approved plan, and for general terms of the Solid Waste Permit. The CONSTRUCTION AND OPERATION conditions describe permitted fill areas, acceptable waste types, landfill operation, and requirements which must be satisfied prior to operation of the facility as a Construction & Demolition landfill. Specific requirements for groundwater monitoring and facility record keeping and reporting are described in the MONITORING AND REPORTING conditions.

1646 Mail Service Center, Raleigh, North Carolina 27699-1646
Phone: 919-733-0692 \ FAX: 919-733-4810 \ Internet: www.enr.state.nc.us/

AN EQUAL OPPORTUNITY \ AFFIRMATIVE ACTION EMPLOYER - 50% RECYCLED / 10% POST CONSUMER PAPER

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Mr. Griffin
Page 2
August 12, 2002

Please review the Conditions of Permit thoroughly, especially the following specific conditions:

- A. Monitoring and Reporting Requirement No. 12(e) requires that the groundwater quality monitoring wells must be installed and sampled prior to accepting waste at this landfill. Please consult with Mr. Bobby Lutfy, Solid Waste Section Project Hydrogeologist at (919) 733-0692, Ext. 258 just prior to well construction to help ensure that completed wells meet well construction standards and will be acceptable for monitoring purposes.

Again, please review the Conditions of Permit thoroughly and contact me if you have any questions or if you require further clarification. Mr. Robert Hearn is the Solid Waste Section Waste Management Specialist for this area and can be contacted at the DENR Raleigh Regional Office by phone at (919) 571-4700. Jim Coffey can be contacted at the Raleigh Central Office at (919) 733-0692 Extension 255 or Jim Barber at (919) 733-0692 Extension 344.

Respectfully,



Jim Barber
Eastern Area Engineer
Solid Waste Section
enclosure

cc: Jim Coffey
Mark Fry
Robert Hearn
Bobby Lutfy
Dan Brewer
Raleigh Central File: Wake County; 92-30 Permit File

BK009539PG00317

PERMIT NO.: 92-30
DATE ISSUED(PTC): 08/12/2002
DATE ISSUED(PTO): N/A

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF WASTE MANAGEMENT
1646 MAIL SERVICE CENTER; RALEIGH, NC 27699-1646

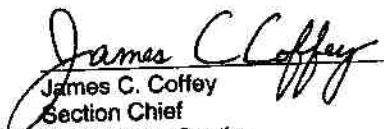
SOLID WASTE PERMIT

Griffin Brothers Companies
d/b/a Highway 55 C&D Landfill, LLC

is hereby issued a PERMIT TO CONSTRUCT a

Construction and Demolition Landfill unit, PHASE 1 (17.8 acre cell)

located north of and accessed by Old Smithfield Road and west of Highway 55 By-pass and further described by Parcel Identification Number 0740.02-55-8687 in Apex, Wake County, North Carolina in accordance with Article 9, Chapter 130A, of the General Statutes of North Carolina and all rules promulgated thereunder and subject to the conditions set forth in this permit. The facility is located and described by the legal description of the site included with this permit and further identified on the deed recorded for this property in Book: 9099 and Page(s): 1039 - 1044 in the Wake County Register of Deeds for Highway 55 C&D Landfill, LLC.


James C. Coffey
Section Chief
Solid Waste Section
Division of Waste Management

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**SOLID WASTE PERMIT
PERMIT TO CONSTRUCT**
Griffin Brothers Companies d/b/a Highway 55 C&D Landfill, LLC
A Construction and Demolition Debris Landfill Unit - PHASE I

CONDITIONS OF PERMIT:

GENERAL

1. This PERMIT TO CONSTRUCT will be in effect for eighteen months from date of issuance and may be reviewed under rules in effect at that time if the facility is not constructed within this time frame. Modifications to the facility may be required in accordance with rules in effect at the time of review. This permit shall not be effective unless the PERMIT TO CONSTRUCT along with the certified copy is filed in the Register of Deeds Office, in the grantor index under the name of the owner of the land in the county or counties in which the land is located. This PERMIT TO CONSTRUCT should be referenced and recorded against the deed recorded in Book: 9099 Pages: 1039 thru 1044. The certified copy shall be returned to the Solid Waste Section, within 30 days of receipt of the PERMIT TO CONSTRUCT, and shall have indicated on it the book number, page, date of recordation and the Register's seal.
When this property is sold, leased, transferred or conveyed, the deed or other instrument of transfer shall contain in the description section in no smaller type than that used in the body of the deed or instrument, a statement that the property has been used as a sanitary landfill.
2. The approved plan is described by Attachment 1, "List of Documents for Approved Plan". Where discrepancies may exist, the most recent submittal and the Conditions of Permit shall govern. Some components of the approved plan are reiterated in the Conditions of Permit.
3. This permit is not transferable.
4. This permit is for a period of five years from the date of the PERMIT TO OPERATE and is subject to review on or before the date of the PERMIT TO OPERATE as per 15A NCAC 13B .0201(c). Modifications to the facility may be required in accordance with the rules in effect at the time of the review.
5. The service area for this facility consists of the County of Wake and its municipalities. The disposal capacity for the facility (PHASE 1) is approximately 858,000 cubic yards(appendix 1 - landfill capacity and borrow soil calculations), consistent with the final contours as shown on SHEET C5 (phase I closure plan) in the construction application. This capacity is based the receipt of approximately 300,000 tons/year based on operating 6 days/week (approx. 312 days/ year), with a maximum variance in accordance with GS 130A-294(b1)(1) and consistent with the approved franchise granted by the County of Wake dated 3 December 2001.

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CONSTRUCTION

6. This permit is for the construction of Griffin Brothers Companies d/b/a Highway 55 C&D Landfill, LLC Construction and Demolition(C&D) Landfill unit denoted as Phase 1 in accordance with the site plan SHEET C3, titled " Phase I GRADING PLAN". Prior to placing waste in areas of Phase 1, consistent with the above mentioned drawing, certification that Phase 1 has been constructed and graded in accordance with the approved plans will be required.
7. All sedimentation/erosion control activities will be conducted in accordance with the Sedimentation Control Act codified at 15 NCAC 4. Native vegetation shall be established on the completed C&D landfill unit in accordance with 15A NCAC 13B .0505 (3)(b)(c).
8. The following requirements shall be met prior to operation of PHASE 1(i.e. Prior to the issuance of a PERMIT TO OPERATE):
 - a. PHASE 1 preparation shall be in accordance with the construction plan, SHEET C3, and the conditions specified herein; and construction of PHASE 1 shall be certified by the design engineer to be constructed in accordance with the approved plans.
 - b. PHASE 1 unit inspection shall be made by a representative of the Division of Waste Management (DWM) with the owner/operator.
 - c. Signs shall be posted at the entrance of Highway 55 C&D Landfill, LLC landfill, in accordance with the Access and Safety Requirements under Operation Condition .0505(8).
 - d. Groundwater monitoring wells (see Monitoring and Reporting Requirements) shall be installed consistent with condition 14(a) thru (g). A baseline sampling for water quality shall be performed. Well construction records, soil boring logs and sample analysis results shall be submitted to the Section Hydrogeologist for review and approval prior to operation of the C&D unit. Additional interim ground water monitoring well(s) shall be installed to the south and east of the PHASE 1 footprint, within the review boundary for PHASE 1, at the design hydrogeologist recommended locations. A proposed location plan for the additional well(s) shall be submitted to the Solid Waste Section for review and concurrence.
 - e. Inspection and certification of the PHASE 1 subgrade, by the project hydrogeologist, to determine if subgrade conditions are consistent with the observations made during the initial site investigations and information provided in the site hydrogeology report. If conditions found are different than conditions stated in the hydrogeologic report or that would impact or have an effect on the proposed ground water monitoring system; then a revised ground watering monitoring plan will be required.
 - f. No blasting shall take place on the site unless a pre-blast survey is performed and a blasting plan is submitted to the Solid Waste Section for review and concurrence.

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- g. All well construction records and soil boring logs(for existing and new wells), along with sample analysis results shall be submitted to the Section Hydrogeologist for review and approval prior to operation of the C&D unit.

OPERATION:

9. This C&D unit (PHASE 1) is permitted to receive the following waste types:
- Land-clearing debris as defined in G.S. 130A-290, specifically, solid waste which is generated solely from land-clearing activities, such as stumps, trees;
 - Inert debris defined as solid waste which consists solely of material that is virtually inert, such as brick, concrete, rock and clean soil; and
 - Asphalt in accordance with G.S. 130-294(m).
 - Construction and demolition debris defined as solid waste resulting solely from construction, remodeling, repair or demolition operations on pavement, buildings, or other structures.
- Yard trash as defined in G.S. 130A-290, shall not be disposed in the landfill area. However, yard trash, along with land-clearing debris, may be accepted for processing in the Yard Waste Composting Area or disposed of in a LCID landfill.
10. Operation of the C&D landfill unit shall conform to the operating procedures described in the approved plan, in accordance with Section .0505 of the Solid Waste Management Rules, and in accordance with the following requirements:
- Waste Acceptance and Disposal.
- The C&D unit shall accept only those solid wastes which it is permitted to receive as outlined in condition 9.
 - No municipal solid waste, hazardous waste, or liquid waste shall be accepted for disposal in the C&D unit.
 - The permittee shall implement a program for the C&D unit for detecting and preventing the disposal of MSW, hazardous or liquid wastes. The program shall include, at a minimum:
 - Random inspections of incoming loads or other comparable procedures;
 - Records of any inspections;
 - Training of personnel to recognize hazardous and liquid wastes;
 - Development of a contingency plan to properly manage any identified hazardous, liquid or MSW wastes; The plan must address identification, removal, storage, and final disposition of waste.
- Cover Material Requirements
- Operational soil cover of at least six inches shall be placed at least once per week or when the active area reaches ½ acre in size, or more often as necessitated by the nature of the waste, as to prevent the site from becoming a visual nuisance and to prevent fire, windblown materials, vectors, or excessive water infiltration.
 - Areas which will not have additional waste placed on them for 12 months or more, but where final termination of operations has not occurred, shall be covered with a minimum of one foot of soil cover [15A NCAC 13B .0505(3)(b)].

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- f. After final termination of disposal operations at the C&D unit or major part thereof, or upon revocation of a permit, the fill areas shall be covered with at least two feet of suitable compacted earth [15A NCAC 13B .0505(3)(c)] or a cap as specified by the rules in effect at the time of closure.

Access and Safety

- g. The C&D unit shall be adequately secured by means of gates, chains, berms, fences, or other security measures approved by the DWM to prevent unauthorized entry.
- h. An attendant shall be on duty at the Highway 55 C&D Landfill, LLC landfill at all times while it is open for public use to ensure compliance with operational requirements.
- i. The access road from Old Smithfield Road to the C&D unit shall be of all-weather construction and maintained in good condition.
- j. Dust control measures shall be implemented when necessary.
- k. Signs providing information on dumping procedures, the hours of operation, the permit number, and other pertinent information shall be posted at the entrance to the Highway 55 C&D Landfill, LLC landfill.
- l. Signs shall be posted stating that no MSW, hazardous waste or liquid waste can be received in the C&D unit.
- m. Traffic signs or markers shall be provided as necessary to promote an orderly traffic pattern to and from the discharge area and to maintain efficient operating conditions.
- n. The removal of solid waste from the facility is prohibited unless the owner/operator approves and the removal is not performed on the working face. If C&D recycling is to take place in the future; amendment of the operations plan shall be submitted to the Solid Waste Section for approval.
- o. Barrels and drums shall not be disposed of unless they are empty and perforated sufficiently to ensure that no liquid or hazardous waste is contained therein, except fiber drums containing asbestos. Asbestos waste shall be managed in accordance with 40 CFR 61.
- p. Open burning of solid waste is prohibited. Fires shall be reported to the Solid Waste Section by phone within 24 hours of an incident and written notification shall be submitted within 14 working days addressing the events at the site and future actions to be taken in the future to avoid and or mitigate potential fire hazards.
- q. The concentration of explosive gases generated by the C&D unit shall not exceed:
 - i. twenty-five percent of the lower explosive limit(1.25% of CH₄) for gases in site structures (excluding gas control or recovery system components if necessary; and
 - ii. One hundred percent of the lower explosive limit(5% CH₄) for gases at the property boundary. Installation of permanent gas monitoring wells may be required in the future to demonstrate compliance.

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Erosion and Sedimentation Control

- r. Adequate sedimentation and erosion control measures shall be practiced to prevent silt from leaving the site of the C&D unit.
- s. Adequate sedimentation and erosion control measures shall be practiced to prevent excessive on-site erosion.
- t. Provisions for a vegetative ground cover sufficient to restrain erosion must be accomplished within 30 working days or 120 calendar days upon completion of any phase of C&D landfill unit development or as addressed in the approved Sedimentation and Erosion Control permit.

Drainage Control and Water Protection Requirements

- u. Surface water shall be diverted from the operational area.
 - v. Surface water shall not be impounded over or in waste.
 - w. A separation distance of at least four feet shall be maintained between the C&D waste and the groundwater table; as addressed in the site suitability application, hydrologic assessment section.
 - x. Solid waste(C&D) shall not be disposed of in water.
 - y. Leachate shall be contained on site or properly treated prior to discharge. An NPDES permit may be required prior to discharge of leachate to surface waters and or for land disturbing activities greater than one acre.
11. All pertinent landfill operating personnel will receive training and supervision necessary to properly operate this C&D landfill unit in accordance with G.S. 130A-309.25 and addressed by memorandum dated 29 November 2000(enclosed).
12. Ground water quality for the C&D landfill unit is subject to the classification and remedial action provisions referenced in Rule .0503 (2)(d) of 15A NCAC 13B.
13. A closure and post-closure plan must be submitted for approval at least 90 days prior to closure or partial closure of any landfill unit. The plan must include all steps and measures necessary to close and maintain the C&D unit in accordance with all rules in effect at that time. At a minimum, the plan shall address the following:
- a. Design of a final cover system as required by the solid waste management rules in effect at the time of closure;
 - b. Construction and maintenance/operation of the final cover system and erosion control structures;
 - c. Surface water, ground water, and explosive gas monitoring.

MONITORING AND REPORTING REQUIREMENTS

14. Ground-water monitoring wells and monitoring requirements for the C&D landfill unit:
- a. Monitoring well design and construction shall conform to the specifications outlined in, "North Carolina Water Quality Monitoring Guidance Document for Solid Waste Facilities-DRAFT" and water quality sampling and analysis shall be done in accordance with Construction and Demolition landfills and Closed Sanitary Landfills

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- b. A total of seven locations for ground water wells (MW-1 upgradient and MW-2, MW-3, MW-4, MW-5, MW-6 and MW-7 downgradient locations for Phase I) and four surface water locations (SW-1, SW-2, SW-3 and SW-4) [in accordance with the Groundwater Monitoring Plan, as part of the Site Suitability Plan dated 19 April 2002 by Enviro-Pro, P.C.].
 - c. A geologist shall be in the field to supervise well installation. The exact locations, screened intervals, and nesting of the wells shall be established after consultation with the SWS Hydrogeologist at the time of well installation.
 - d. For each monitoring well constructed, a well completion record shall be submitted to DWM within 30 days upon completion.
 - e. Prior to the acceptance of any waste at the C&D unit, a baseline sampling event shall be completed and analysis submitted to the SWS Hydrogeologist.
 - f. Sampling equipment, procedures, and parameters shall conform to specifications outlined in the above-referenced guidance document, [Monitoring and Reporting Requirements, condition 14(a) pg. 8] or the current guidelines established by DWM at the time of sampling.
 - g. In order to determine ground-water flow directions and rates, each monitoring well shall be surveyed, and hydraulic conductivity values and effective porosity values shall be established for the screened intervals for each monitoring well.
 - h. The permittee shall sample the monitoring wells semi-annually or as directed by the SWS Hydrogeologist. In addition to the wells described in condition 14(b); surface water locations SW-1, SW-2, SW-3 and SW-4 shall also be sampled semi-annually as part of the monitoring system.
 - i. A readily accessible unobstructed path shall be initially cleared and maintained so that four-wheel drive vehicles may access the monitoring wells at all times.
15. The permittee shall maintain a record of all monitoring events and analytical data. Reports of the analytical data for each water quality monitoring sampling event shall be submitted to DWM in a timely manner.
16. The permittee shall maintain a record of the amount of solid waste received at the C&D unit, compiled on a monthly basis. Scales shall be used to weigh the amount of waste received.
17. On or before 01 August 2003, and each year thereafter, the permittee shall report the amount of waste received (in tons) at the C&D unit and disposed of in the C&D landfill unit to the Solid Waste Section and to all counties from which waste was accepted, on forms prescribed by the Section. This report shall include the following information:
- a. The reporting period shall be for the previous year, beginning 01 July and ending on 30 June;

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- b. The amount of waste received and landfilled in tons, compiled on a monthly basis, and;
 - c. Documentation that a copy of the report has been forwarded to all counties from which waste was accepted.
18. All records shall be maintained on-site and made available to the SWS upon request, specifically records generated by conditions 10, 11, 13, 14, 15, 16 & 17.

Prepared by ~~Jonathan Lee~~Mail To: ~~Grantor~~

Poyner & Spruill L.L.P. (RWW)
 (without title examination)
 Post Office Box 10096
 Raleigh, NC 27605

Wake County, NC 1000
 Laura N. Giddens, Register of Deeds
 Presented & Recorded 10/01/2001 15:09:02
 State of NC Real Estate Excise Tax : \$2100
 Book : 000000 Page : 01022 - 01044

EXCISE \$2,480.00

Out of 0072826

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED is made this 24th day of September, 2001, from FON ASSOCIATES LIMITED PARTNERSHIP, a North Carolina limited partnership (the "Grantor"), to HIGHWAY 33 C&D LANDFILL, LLC, a North Carolina limited liability company (the "Grantee"), with a mailing address of 19109-110 W Catawba Ave., Cornelius, NC 28031.

WITNESSETH:

For and in consideration of \$1.00 cash in hand paid and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Grantor has and by these presents does grant, bargain, sell and convey unto Grantee in fee simple, all that certain lot or parcel of land situated in Wake County, North Carolina, more particularly described on Exhibit A attached hereto and by this reference made a part hereof:


TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

Grantor covenants with Grantee that Grantor is seized of said land in fee simple, that Grantor has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, except for those exceptions described on Exhibit B attached hereto and by this reference made a part hereof.

The designation "Grantor", and "Grantee" as used herein shall include said named parties and their respective heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

IN WITNESS WHEREOF, the undersigned has executed this instrument under seal as of the day and year first above written.

FON ASSOCIATES LIMITED PARTNERSHIP
 a North Carolina limited partnership (SEAL)

By  (SEAL)
 Shie-Shui Wu, General Partner

RECORD OF POOR QUALITY
 DUE TO CONDITION OF
 ORIGINAL DOCUMENT

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STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that Shic Shin Wu, personally appeared before me, who, being by me duly sworn, says that he is General Partner of FON ASSOCIATES LIMITED PARTNERSHIP, a North Carolina limited partnership, and that the said writing was signed by them in behalf of said limited partnership as their act and deed and as the act and deed of said limited partnership.

WITNESS my hand and notarial seal, this 1st day of October, 2001.

Sara J. Perrin Notary Public

My Commission Expires: 01/01/2006



ALLIANCE 002006-005311461 v.1 09/24/11

RECORD OF POOR QUALITY
DUE TO CONDITION OF
ORIGINAL DOCUMENT

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GRIFFIN COS LANDFILL

PAGE 03/07

EXHIBIT "A"

BEGINNING at a point located in Falls Branch, said point being located North 70 degrees 30 minutes 09 seconds West 2709.93 feet from a mag nail located in the centerline of S. R. 1172 (a/k/a Old Smithfield Rd.) and the centerline of Highway 55, said point also being the POINT AND PLACE OF BEGINNING, thence along the run of Falls Branch Creek the following calls and distances: South 70 degrees 17 minutes 40 seconds West 82.58 feet to a point, thence North 42 degrees 11 minutes 55 seconds West 197.13 feet to a point, thence South 70 degrees 16 minutes 53 seconds West 125.20 feet to a point, thence South 01 degrees 50 minutes 53 seconds West 120.77 feet to a point, thence South 70 degrees 44 minutes 34 seconds West 156.46 feet to a point, thence North 75 degrees 48 minutes 30 seconds West 99.08 feet to a point, thence South 66 degrees 50 minutes 57 seconds West 127.19 feet to a point, thence South 46 degrees 59 minutes 42 seconds West 1104.40 feet to a point, thence South 29 degrees 30 minutes 11 seconds West 155.68 feet to a point, thence South 53 degrees 28 minutes 52 seconds West 162.59 feet to a point, thence South 88 degrees 57 minutes 47 seconds West 156.63 feet to a point, thence South 09 degrees 55 minutes 53 seconds West 72.11 feet to a point, thence South 82 degrees 32 minutes 55 seconds West 246.55 feet, thence South 25 degrees 00 minutes 16 seconds West 112.16 feet to a point, thence North 58 degrees 34 minutes 44 seconds West 89.83 feet to a point, thence South 77 degrees 55 minutes 10 seconds West 104.07 feet to a point, thence North 55 degrees 08 minutes 41 seconds West 128.16 feet to a point, thence North 46 degrees 20 minutes 01 seconds West 160.15 feet to a point, thence South 66 degrees 30 minutes 35 seconds West 95.59 feet to a point, thence North 45 degrees 46 minutes 13 seconds West 87.66 feet to a point, thence South 73 degrees 24 minutes 16 seconds West 114.69 feet to a point, thence South 11 degrees 10 minutes 12 seconds East 87.05 feet to a point, thence North 62 degrees 13 minutes 03 seconds West 106.40 feet to a point, thence South 83 degrees 26 minutes 30 seconds West 152.16 feet to a point, thence South 32 degrees 29 minutes 39 seconds West 85.70 feet to a point, thence North 56 degrees 55 minutes 23 seconds West 163.19 feet to a point, thence South 65 degrees 16 minutes 36 seconds West 230.69 feet to a point, thence North 61 degrees 40 minutes 39 seconds West 269.37 feet to a point, thence North 41 degrees 39 minutes 35 seconds West 233.34 feet to a point, thence South 73 degrees 22 minutes 35 seconds West 210.49 feet to a point, thence South 60 degrees 14 minutes 01 seconds West 206.57 feet to a point, said point being the final point located in the run of Falls Branch Creek, thence North 19 degrees 08 minutes 52 seconds West 169.59 feet to an iron pipe, thence North 54 degrees 25 minutes 57 seconds West 325.79 feet to an iron pipe, thence North 69 degrees 25 minutes 11 seconds West 183.82 feet to an iron pipe, thence North 73 degrees 57 minutes 20 seconds West 219.38 feet to an iron pipe, thence North 77 degrees 55 minutes 48 seconds West 217.53 feet to an iron pipe, thence North 05 degrees 34 minutes 39 seconds West 998.63 feet to a point, thence South 80 degrees 04 minutes 02 seconds East 106.02 feet to a point, thence South 82 degrees 38 minutes 07 seconds East 1467.38 feet to a point, thence South 88 degrees 20 minutes 16 seconds East 672.04 feet to a point, thence South 80 degrees 54 minutes 58 seconds East 580.68 feet to a point, thence North 88 degrees 37 minutes 31 seconds East 704.64 feet to a point, thence South 80 degrees 29 minutes 29 seconds East 647.01 feet to a point, thence South 53

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05/02/2002 13:41 7848962960

GRIFFIN COS LANDFILL

PAGE 04/07

degrees 46 minutes 40 seconds East 472.48 feet to a point, thence South 03 degrees 27 minutes 32 seconds West 400.96 feet to the POINT AND PLACE OF BEGINNING, containing 116.333 acres and being designated as Tract "C" on an unrecorded survey entitled "Property Survey for Highway 55 C & D Landfill, LLC", dated 9/22/01 and prepared by Patterson, Brewer & Associates.

This tract is a portion of the same tract of land referred to as Tract J in Deed Book 3850, Page 359, Wake County Registry.

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05/02/2002 13:41 7048962960

GRIFFIN COS LANDFILL

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EXHIBIT B

1. Lien of ad valorem taxes for the year 2002 and subsequent years.
2. Right of way of Technology Drive.
3. Right of way of Dixie Pipeline recorded in Book 1484, Page 239, Wake County Registry.
4. Right of way to Data General Corporation recorded in Book 2829, Page 177 and Book 2791, Page 428, Wake County Registry.
5. Wastewater Utility Easement to County of Wake recorded in Book 3059, Page 118, Wake County Registry.
6. Easement Agreement and Quit-Claim to Fred G. Cash, Jr. and Annie Ruth Cash Maynard for perpetual ingress and egress across subject property recorded in Book 4454, Page 661, Wake County Registry.
7. Utility easement to Carolina Power & Light Company recorded in Book 8419, Page 2323, Wake County Registry.
8. Memorandum of Action for eminent domain taking of perpetual sewer easement recorded in Book 8943, page 596 Wake County Registry.
9. Future right of way to Department of Transportation for construction of I-540 Western Wake Expressway.

BK009539PG00330

Wake County, NC 275
 Laura M. Riddick, Register of Deeds
 Presented & Recorded 07/08/2002 12:40:12
 State of NC Real Estate Excise Tax: \$220
 Book: 005400 Page: 00522 - 00524

Excise Tax \$ 220.00

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. Out of 0740.04 - 64 - 9391
 Verified by Wake County on the _____ day of _____ 2002 by _____

After recording mail to: GranteeThis instrument was prepared by: Kilpatrick Stockton LLP (JAB) without title examination

Brief description for the Index

NORTH CAROLINA SPECIAL WARRANTY DEED

THIS DEED made this 1st day of July, 2002, by and between

GRANTOR	GRANTEE
R. Markham Stewart and wife, Ruth B. Stewart, a 50% undivided interest, as tenants by the entireties	Highway 55 C&D Landfill, LLC, a NC limited liability company
Melissa S. Woodell and husband, Anthony K. Woodell, a 50% undivided interest, as tenants by the entireties	19109-110 W. Catawba Avenue Cornelius, NC 28631

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, in all that certain lot or parcel of land situated in the Township of Cotton Grove, County of Wake, State of North Carolina, and more particularly described as follows:

Being all of Tract A, containing approximately 0.963 acres, more or less, as shown on that map entitled "Final Plat for R. Markham & Ruth B. Stewart, Anthony K. & Melissa S. Woodell HWY 55 C&D Landfill, LLC Redivision of 10.33 Acres Site As Shown On Book of Maps 2002, Page 35", prepared by Patterson Brewer & Associates, dated May 2, 2002, and recorded in Book of Maps 2002, Page 1159, Wake County Registry.

BK009539PG00331

The property hereinabove described was acquired by Grantor by instrument recorded in Book 9121 Page 1284 and Book 8729 Page 644, Wake County Registry.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor has done nothing to impair such title as Grantor received, and Grantor will warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, except for the exceptions hereinafter stated.

Title to the property hereinabove described is subject to the following exceptions:

1. Taxes for the year 2002 and subsequent years not yet due and payable.
2. Zoning ordinances in effect.
3. All easements, restrictions and rights-of-way of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

R. Markham Stewart (seal)
R. Markham Stewart

Ruth B. Stewart (seal)
Ruth B. Stewart

Melissa S. Woodell (seal)
Melissa S. Woodell

Anthony K. Woodell (seal)
Anthony K. Woodell

STATE OF NORTH CAROLINA

COUNTY OF Lee

I, J. Jeffrey, Notary Public of Lee County, State of North Carolina, certify that R. Markham Stewart, and wife Ruth B. Stewart, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this 15 day of July, 2002.

My commission expires:
My Commission Expires March 08, 2005

J. Jeffrey
Notary Public
(Official Seal)

STATE OF NORTH CAROLINA

COUNTY OF Lee

I, J. Jeffrey, Notary Public of Lee County, State of North Carolina, certify that Melissa S. Woodell, and husband Anthony K. Woodell, Grantor, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this 15 day of July, 2002.

My commission expires:
My Commission Expires March 08, 2005
45894-249733
RALL1501 6301071

J. Jeffrey
Notary Public
(Official Seal)

BK009539PG00332

Laura M. Riddick
Register of Deeds
Wake County, NC

Book : 009483 Page : 00322 - 00924

Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

North Carolina - Wake County

The foregoing certificate of _____

Jeffrey C. Taw

_____. Notary(ies) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

Laura M. Riddick, Register of Deeds

By: *Fredrick C. Zappone*
Assistant/Deputy Register of Deeds

This Customer Group
of Time Stamps Needed

This Document
of Pages

AKES-0027001150

RECORD OF POOR QUALITY
DUE TO CONDITION OF
ORIGINAL DOCUMENT

BK009539PG00334

ATTACHMENTS

GRIFFIN BROTHERS COMPANIES d/b/a HIGHWAY 55 C&D LANDFILL, LLC

List of Documents for the Approved Plan

SITE SUITABILITY:

1. Report - Site Application - Highway 55 C&D Landfill and Recycling Center - prepared for Highway 55 C&D Landfill, LLC Construction & Demolition Landfill - Wake County, North Carolina; application dated 19 April 2002 and received 24 April 2002 from Enviro-Pro, P.C.;
2. Response to Comment dated 19 March 2002 - Site Suitability Permit Application, response received 24 April 2002 and 8 May 2002 from Enviro-Pro for information dated 19 April 2002 and 7 May 2002;
3. Second Response to Comment letter dated 3 July 2002 - Site Suitability Permit Application - response dated 11 July 2002 "Revised Site Plan Application Report" from Enviro-Pro;
4. Certified minutes from Wake County dated 3 December 2001 and 19 November 2001 indicating the vote of the Wake County Commissioners in approving the franchise for Highway 55 C&D Landfill, LLC, received in the Revised Site Suitability application dated April 2002 received 24 April 2002;
5. Special Use Permit recorded in Deed Book: 9099 and Pages: 1039 thru 1044, as part of the Site Suitability application dated April 2002 received 24 April 2002;

CONSTRUCTION:

6. Deed description for re-combination of properties consisting of Book: 9099 and Pages: 1039 - 1044 representing 116.333 acres and Book: 9488 and Pages: 0922 - 0923 representing .963 acres.

BK009539PG00335

Laura M Riddick
Register of Deeds
Wake County, NC



Book : 009539 Page : 00315 - 00335

Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

North Carolina - Wake County

The foregoing certificate ___ of _____

____ Notary(ies) Public is (are) certified to be correct. This instrument
and this certificate are duly registered at the date and time and in the book and
page shown on the first page hereof.

Laura M. Riddick, Register of Deeds

By: _____
Assistant/Deputy Register of Deeds

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
21 # of Pages